

DT07 R6 PCT/PTO 08 MAR 2005

95/15

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors: Hitoshi IOCHI, et al.

Application No.: 10/516,367

Filed: December 1, 2004

For: COMMUNICATION APPARATUS AND DATA
RETRANSMISSION CONTROL METHOD

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner of Patents
Washington, DC 20231

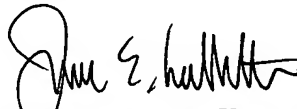
Dear Sir:

Pursuant to Rules 56 and 99, Applicants hereby call the attention of the Patent Office to the art listed on the attached Form PTO 1449. Copies of the art cited in the International Search Report (ISR), which issued by the JPO, are made available to the U.S. examiner in the national stage application, pursuant to MPEP 1893.03(g), and therefore copies of such art are not submitted herewith. The art cited in the ISR is listed on the attached PTO-1449 for an indication of consideration by the examiner. Copies of any other references listed on the PTO-1449, besides those cited in the ISR, are submitted herewith. The TSG R1-02-0364 article is discussed in the present application on page 10, line 25 et seq. JP '003 corresponds to US '266.

Applicants present this art so that the Patent Office may, in the first instance, determine any relevancy thereof to the

presently claimed invention, see Beckman Instruments, Inc. v. Chemtronics, Inc., 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970). Also see Patent Office Rules 104 and 106. Applicants respectfully request that this art be expressly considered during the prosecution of this application and made of record herein and appear among the "References Cited" on any patent to issue herefrom.

Respectfully submitted,



James E. Ledbetter
Registration No. 28,732

Date: March 8, 2005

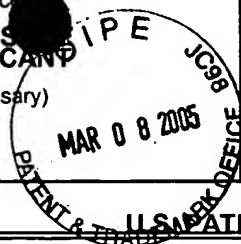
JEL/ejw

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FORM PTO-1449 U.S. Department of Commerce
(Rev. 4/92) Patent and Trademark Office

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use several sheets if necessary)



ATTY. DOCKET NO.

L9289.04180

SERIAL NO.

10/516,367

APPLICANT

Hitoshi IOCHI, et al.

FILING DATE

December 1, 2004

GROUP

Unassigned

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	2003 0 0 7 2 2 6 6	04/2003	Uesugi et al.			

FOREIGN PATENT DOCUMENTS

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
					YES NO
2000 2 2 4 1 4 0	08/2000	JP			
2002 0 5 1 0 0 3	02/2002	JP			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

International Search Report dated September 9, 2003.

"On the HS-DPCCH Performance with Consideration of the Channel Estimation." 3GPP TSG RAN WG 1 #26, TSG R1-02-0364, LG Electronics, Gyeongju, Korea, pages 1-7, May 13-16, 2002.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation is considered, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.